

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ELVA CONSTANCE CUNNINGHAM
and DARIA ROSS,

Plaintiffs,

v.

GENERAL MOTORS LLC; UWE
ELLINGHAUS, MELODY LEE,
NATHAN TAN, SHANNON E.
WALLACE, TONYA HALLETT, JOHN
and JANE DOE, 1, 2, 3, etc.,

Defendants.

Civil Action No. 20-cv-03097-AKH

Electronically Filed

**DECLARATION OF DEFENDANT UWE ELLINGHAUS IN SUPPORT OF
HIS MOTION TO DISMISS**

1. I, UWE ELLINGHAUS, am over the age of 18 and make the following Declaration.
2. I have been named as a Defendant in the above-referenced matter.
3. I submit this Declaration in support of my Motion to Dismiss.
4. I live and work in Munich, Germany, and I have no current plans to live or work in New York.
5. I am a citizen of Germany and not a citizen of the United States.
6. I was formerly employed by PIMS Co., a subsidiary of GM, which is incorporated in Delaware with its principal place of business in Detroit, Michigan.
7. While an employee of PIMS Co., I was assigned to work at Cadillac Brand of GM in New York, New York.
8. My contract with PIMS Co., expired on December 31, 2017.
9. I lived in New York from November of 2013 until February, 2018.

10. For the first 18 months of my employment, my position was technically located in Detroit, Michigan.

11. I have not lived in New York since February, 2018.

12. I have no family that lives in the United States. I do not own any land in New York, nor do I have a New York driver license.

13. I currently have no plans to travel to New York or the United States on vacation.

14. My understanding is that I cannot travel to New York on vacation in any event, or anywhere in the United States, because of U.S. legislation passed in response to the COVID-19 pandemic.

15. This Declaration is based upon my own personal knowledge, and/or upon my review of what I believe to be true and correct copies of public documents and/or documents generated and/or produced in discovery during the course of the above-captioned litigation.

16. I declare under penalty of perjury, under the laws of the United States of America, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: October 7, 2020


Uwe Ellinghaus